

# DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION



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## STATE OF MONTANA

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Cover Letter

July 7<sup>th</sup>, 2014

TO: Governor's Office, Tim Burton, Rm. 204, State Capitol, P.O. Box 200801, Helena, MT 59620-0801  
Environmental Quality Council, Capitol Building, Room 106, P.O. Box 201704, Helena, MT 59620  
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901  
Director's Office  
Dept. of Natural Resources and Conservation, 1625 11<sup>th</sup> Ave. Helena, MT 59620  
Director's Office  
Information Services Section  
Water Resources Division, 1424 9th Ave., P.O. Box 201601, Helena, MT 59620-1601  
Kim Overcast, DNRC Water Resources Div., Billings Regional Office, Airport Business Park, 1371  
Rimtop Dr., Billings, MT 59105-1978  
Montana Department of Fish, Wildlife & Parks, 1420 E. 6<sup>th</sup> Ave. Helena, MT 59620  
Director's Office  
Gary Hammon, DFWP Region 5 Office, 2300 Lake Elmo Dr., Billings, MT 59105  
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620  
Allen Bell, President, Rock Creek Water Users Association, 53 Bell Rd. Roberts, MT 59070  
Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624  
Montana Audubon Council, P.O. Box 595, Helena, MT 59624  
Carbon County Commissioners, County Administration Building, 17 West 11th Street, PO Box 887  
Red Lodge, MT 59068  
Wildlife Federation, P.O. Box 1175, Helena, MT 59624  
Trout Unlimited, P.O. Box 7186, Missoula, MT 59807  
Northern Plains Resource Council, 2401 Montana Ave. Suite 200, Billings, MT 59626-2336  
U.S. Army Corps of Engineers, 10 W. 15th St. Suite 2200, Helena, MT 59626  
U.S. Fish and Wildlife Service, MT Field Office, 584 Shepard Way, Suite 1, Helena, MT 59601

Ladies and Gentlemen:

The enclosed Finding of No Significant Impact / Decision Notice has been prepared for Cooney Dam Outlet Weir Replacement and Instrumentation Project. Please feel free to contact James Domino at (406) 444-6622 (e-mail [jdomino@mt.gov](mailto:jdomino@mt.gov)) should you have any questions about the Notice or would like additional project information. Questions and information requests should be directed to: MT Dept. of Natural Resources and Conservation, State Water Projects Bureau, 1424 9th Avenue, P.O. Box 201601, Helena, MT 59620-1601, attn. James P. Domino. Copies of the Final EA are available upon request. The Final EA can also be viewed on the DNRC website at [www.dnrc.mt.gov](http://www.dnrc.mt.gov). Thank you.

Sincerely,

  
Tim Davis  
Administrator,  
Water Resources Division



FINDING OF NO SIGNIFICANT IMPACT-  
NOTICE OF DECISION  
July 7<sup>th</sup>, 2014

Dear Reader:

The Montana Department of Natural Resources and Conservation (DNRC), State Water Projects Bureau (SWPB) released a draft Environmental Assessment (EA) on May 28<sup>th</sup>, 2014 on the Cooney Dam Outlet Weir Replacement and Instrumentation Project. The dam is owned by the DNRC, SWPB and operated and maintained by the Rock Creek Water Users Association.

Cooney Dam and Reservoir are located on Red Lodge Creek in Carbon County, approximately 7 miles west of Boyd, Montana. The earthfill dam is 102 feet high, has a crest length of 2369 feet, and impounds 28,230 acre-feet of water at full pool. The water is used for supplemental irrigation on approximately 20,000 acres. Additional benefits include recreational use and flood control, although no specific allocations to these uses currently exist. The original dam was completed in 1937. The dam was raised five feet in 1982. In addition to raising the dam crest elevation, the dam was rehabilitated to meet current dam safety standards. Cooney Dam is classified as a high hazard dam. A dam is classified as high hazard if failure of the dam would endanger lives and property downstream.

The measuring weir immediately downstream of the dam's outlet is 75 years old and needs replacement because it is severely dilapidated and in a state of eminent failure. The weir is essential for operating the dam safely and efficiently. Releases must be measured to safely manage the reservoir and to accurately deliver stored irrigation water. Weir replacement enhances dam safety. Non-action could result in weir failure with subsequent damage to the dam. Dam failure potentially results in downstream loss of life and infrastructure devastation.

State statute requires the SWPB to maintain suitable measuring devices on the dam. This project replaces the failed weir with a new measuring structure and automated instrumentation to measure and record weir flows and reservoir elevation, making dam operation more efficient. It enhances Montana's renewable resources by managing and preserving tributary storage; conserving water and soil; preserving cropland, natural resource-based recreation, and fish and aquatic habitat; and by improving water use efficiency by replacing a failing water measuring device required under Sec. 85-2-113.

The Montana Department of Environmental Quality, Montana Department of Fish, Wildlife and Parks, Montana Natural Heritage Program, U.S. Army Corps of Engineers and the State Historic Preservation Office were consulted as part of the draft EA process. The public comment period closed on Tuesday, July 1<sup>st</sup>, 2014, with no comments received. Based on the EA's disclosure and analysis of potential impacts, the DNRC concludes that the proposed action will not result in any significant impacts. The DNRC will adopt the draft EA as the final EA and proceed with the project as planned. Copies of the Final EA are available upon request. The Final EA can also be viewed on the DNRC website at [www.dnrc.mt.gov](http://www.dnrc.mt.gov) in the Environmental Documents section. Please direct any questions to:

James P. Domino, MT DNRC  
State Water Projects Bureau  
1424 9th Ave., P.O. Box 201601  
Helena, MT 59620-1601  
(406) 444-6622, e-mail: [jdomino@mt.gov](mailto:jdomino@mt.gov)

Thank you for your interest.

Sincerely,

Tim Davis  
Administrator,  
Water Resources Division